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<p align="center"><b>CERTIFICATION UNDER 37 CFR 1.10</b></p> <p>I hereby certify that this correspondence is being deposited with the United States Postal Service on this date in an envelope as "Express Mail Post Office to Addressee," mailing Label Number EL832142007US addressed to the: United States Patent and Trademark Office, Washington, D.C. 20231, on January 7, 2002.</p> <p>By: <u>Leslie Lindsay</u> Leslie Lindsay</p>
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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

<b>Applicant:</b>	<b>Craig E. Smith, et al.</b>	<b>Docket No:</b>	<b>16026.9148-03</b>
<b>Serial No.:</b>		<b>Group Art Unit:</b>	
<b>Filed:</b>	<b>Herewith</b>	<b>Examiner:</b>	
<b>FOR:</b>	<b>MATERIALS FOR ISOLATING BIOLOGICAL TARGET MATERIALS USING SILICA MAGNETIC PARTICLES</b>		

**INFORMATION DISCLOSURE STATEMENT FILED PURSUANT TO  
37 CFR 1.97-1.98 WITHIN THREE MONTHS OF FILING OR BEFORE  
MAILING OF FIRST OFFICE ACTION**

Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

This application is a CONTINUATION of U.S. Serial No. 09/459,502 filed December 13, 1999, which is a DIVISIONAL of U.S. Serial No. 08/785,097, now U.S. Patent 6,027,945, which application is relied upon for an earlier filing date under 35 U.S.C. § 120. Applicants submit herewith a completed Form PTO-1449. All listed publications were previously cited by or submitted to the U.S. Patent and Trademark Office during the prosecution of the U.S. Serial Nos. 09/459,502 or 08/785,097. Accordingly, under 37 C.F.R. 1.98(d), Applicants are not required to submit copies of those publications.


The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants do not waive any rights to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

This information disclosure statement is being filed within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office Action on the merits whichever event occurs last. 37 C.F.R. 1.97(b).

Applicants respectfully request that the listed documents be considered by the Examiner, be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP § 609.

Date:

January 7, 2002

  
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FORM PTO -1449 U.S. DEPARTMENT OF COMMERCE ATTY. DOCKET NO.: 16026.9148-03  
(Rev. 2-92) PATENT AND TRADEMARK OFFICE

INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT:

(Use several sheets if necessary)

SERIAL NO.:

APPLICANT: Craig E. Smith, et al.

FILING DATE: Herewith

GROUP:

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10/04/1890  
01/07/02

### U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,233,169	11/11/80	Beall et al.			
	4,297,337	10/27/81	Mansfield et al.			
	4,395,271	07/26/81	Beall et al.			
	4,683,202	07/28/87	Mullis			
	5,155,018	10/13/92	Gillespie et al			
	5,346,994	09/13/94	Chomczynski			
	5,395,498	03/07/95	Gombinski et al			
	5,945,525	08/31/99	Uematsu et al.			
	5,693,785	12/02/97	Woodward et al.			
	5,990,301	11/23/99	Colpan et al.			
	4,672,040	06/09/87	Josephson			
	5,075,430	12/24/91	Little			
	5,234,809	808/10/93	Boom et al.			
	5,610,274	03/11/97	Wong, et al.			
	5,734,020	03/31/98	Wong, et al.			
	5,904,848	05/18/99	Wong, et al.			

### FOREIGN PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	4307262A1	09/08/94	Germany			
	WO 98/31461	07/23/98	PCT			
	WO 95/06652	03/09/95	PCT			
	09327290	12/22/97	Japan			
	09327291	12.22.97	Japan			

### OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

	Chapter 2 (DNA) and Chapter 4 (RNA) of F. Ausubel et al., eds., <i>Current Protocols in Molecular Biology</i> , Wiley-Interscience, New York (1993).
	Marko et al., <i>Anal. Biochem.</i> , 121, 382-387 (1982).
	Vogelstein et al., <i>Proc. Natl. Acad. Sci.</i> , (USA) 76, 615-619 (1979).
	Boom et al., <i>J. Clin. Microbiol.</i> , 28, 495-503 (1990).
	Chen et al., <i>Anal. Biochem.</i> , 101, 339-341 (1980).
	<i>Kurt-Othmer Encyclopedia of Chemical Technology</i> , Vol. 6, 4 <sup>th</sup> ed., Mary Howe-Grant, ed., John Wiley & Sons, pub., 773-775 (1993).
	Wirth et al., <i>Science</i> , 275, 44-47 (1997).
	Database CAS online. AN 126: 182277, Uematsu et al., "Magnetic carriers for the separation of nucleic acids and methods of using them., Jpn. Kokai Tokkyo Koho, 9 pp. 21 January 1997, abstract (EP O 757 106 A2 corresponding thereto in English enclosed).
	Database CAS online. AN 126: 86772, Klirnt et al., "Magnetic particles and their use for isolation of biological materials", Ger. Offen., 9 pp. 12 December 1996, abstract.

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.